

GH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED

AUG 26 2008
AUG 26 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

JOHN E. TAYLOR, JR.

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

DR. EILEEN COUTURE

DR. ANN MARIE DUNLAP

CERMAK HEALTH SERVICES

JOHN DOES 1-20

08CV4871
JUDGE ST. EVE
C MAGISTRATE JUDGE MASON
(-----)

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

- ☒ COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)
- ☐ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)
- ☐ OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: John E. Taylor, Jr.
- B. List all aliases: N/A
- C. Prisoner identification number: R66376
- D. Place of present confinement: Menard Corr., cntr., Menard, Il.62259
- E. Address: P.O. Box 711

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Dr. Eileen Couture
 Title: Director of Cermak Health Services
 Place of Employment: Cook County Jail/Cermak Health Services
- B. Defendant: Dr. Ann Marie Dunlap
 Title: Division 10 Physican
 Place of Employment: Cook County Jail/Health Services
- C. Defendant: Cook County Jail/Health Services
 Title: _____
 Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: John E. Taylor, Jr. v. Dr. Raba, Dr. Rodriquez, and Ms. Johnson No. 07 C 0544
- B. Approximate date of filing lawsuit: 01/29/07
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: John E. Taylor, Jr.
- D. List all defendants: Dr. Rodriquez, Dr. Raba, and Ms. Johnson
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): United States Dist. Court, Northern Illinois
- F. Name of judge to whom case was assigned: Judge Amy St. Eve
- G. Basic claim made: Constitutional violation of denial of medical attention from Stroger's Pain Clinic
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Case settled, but awaiting the settlement check
- I. Approximate date of disposition: Settlement agreement happen in May 06, 2008, but as of August 12th 2008 have not received settlement check.

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: John E. Taylor Jr. v. Officer Castillo and Damen Toy No. 06 CV 2208
- B. Approximate date of filing lawsuit: Amended Complaint, filed 06-26-06 April 20th 2006.
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

- D. List all defendants: Officer Castillo and Damen Toy

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): United States Dist., Ct. Northern Illinois
- F. Name of judge to whom case was assigned: Honorable Amy J. St. Eve

- G. Basic claim made: Violation of 42 U.S.C. 1983 of assault and battery and intentional infliction of emotion stress.

- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Settled out of court.

- I. Approximate date of disposition: May 2007

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

The plaintiff is alleging that his first, eighth, and fourteenth amendmends of the United states Constitution were violated.

1. Each time the plaintiff went to court, or to Stroger's Hospital Clinic, the morning and afternoon medication was denied.

The plaintiff was informed by the nurse who distributed medication in Division 5 for all inmates who went to court on March 12th 2007 that "as of April 1st 2007 she would no longer be distributing medication". Also, she stated that "it was wrong for you all to do without your medication, and to contact your lawers about the matter."

The plaintiff raised his complaint with nurse Tate, nurse Maxie , and nurse Ernie , all of who were nurses who distributed medication in Division 10, where plaintiff was housed. All of the named nurses told plaintiff they "could not do anything about getting plaintiff's medication to him prior to court." Nurse Tate told plaintiff it was illegal for plaintiff to be denied medication, but could do nothing about it.

During plaintiff's criminal trial, which lasted from August

1st., 3rd., 6th., 7th., of 2007, the plaintiff had to go all day without his medication, with an exception of August 3rd. Plaintiff expressed his pain and discomfort during trial due to not having his medication to nurse Wiley . Also, showed nurse Wiley that court order from Judge Lacy to get plaintiff's medication to him. The plaintiff told nurse Wiley that Dr. Couture, nor Dr. Dunlap would adhere to the court order. Nurse Wiley gave the plaintiff his medication on the 2nd of August but could not give medication for any other day. The plaintiff's criminal lawyer called Cermak Health Services requesting that the plaintiff receives his medication, because he was in trial but to no avail.

The plaintiff's criminal Judge (Judge Lacy) stated that he "wanted the defendant to have his medicine, and for the jail to do whatever is necessary to get his medication to him", but to no avail. The plaintiff had to go to court without pain medication for nerve damage approximately 11 or 12 times, not including the time the plaintiff went to Stroger's Hospital Clinic.

The plaintiff saw Dr. Eileen Couture, the Medical Director on 9/10/07, and shared with her how much pain experienced going without medication at court or Stroger's Hospital Clinic. Her response, "I'm not going to run over the institution trying to medicate those of you that goes to court."

The enclosed grievances will show that the plaintiff had made numerous efforts to get his medication whenever he went to court, but to no avail. In fact, one of the grievances response from the appeal board stated "C.H.S. states patient receiving medication as prescribed", but the plaintiff wasn't receiving his medication as prescribed by the Doctor. Therefore, plaintiff' eighth and fourteenth amendments were violated.

2. The plaintiff's first amendment right to petition was violated when Dr. Dunlap took retaliatory actions by arbitrarily decreasing his pain medication dosage after she discovered that plaintiff had filed a complaint against other employees of Cermak Health Services. Dr. Dunlap canceled all of the plaintiff's specialist who were managing his pain, and would not provide any treatment for plaintiff's pain that specialists were capable of providing after she discovered a Civil Suit had been filed. Dr. Dunlap told plaintiff that "her actions would stand up in court, and that the county had already spent \$20,000 or \$30,000 on him, and could not continue to spend money on his care".

After Dr. Dunlap reduced plaintiff's medication without assessing his pain, the pain of reduced medication increased, and Dr. Dunlap refused to do anything about it.

Dr. Couture was made aware of the problem between Dr. Dunlap and the plaintiff by way of grievances, and verbally by the plaintiff, but nothing was done about it. Dr. Couture and Dr.

Dunlap's actions were deliberate as well as negligent as it relates to having the plaintiff in pain whenever he went to court without his medication.

The plaintiff was the key witness in his defense for his trial, and his testimony was one of the major determining factors of the result of his trial. The plaintiff was in so much pain due to the denial of medication that he was unable to help his lawyer prepare his defense.

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

**The plaintiff is expecting to be compensated by whatever
the legal statue is for such a constitutional violation.**

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 12th day of August, 2008

John E Taylor Jr

(Signature of plaintiff or plaintiffs)

John E Taylor, Jr

(Print name)

R66376

(I.D. Number)

Menard Correctional Center

P. O. Box 711

Menard, IL 62259-0711

(Address)

ORDER

CCG N002-300M-2/28/05(43480658)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

People

v.

John TaylorNo. 03CR 26182**ORDER**

Cermak Hospital shall provide all prescribed medications (including Neurton, Robaxin, Edavil (sp)) to John Taylor inmate # 2003-0082505 during the course of his jury trial. Such medications were prescribed by Dr Dunlop, and shall be available to the inmate in a timely fashion.

Atty. No.:

30295

Name:

Ann Collins

Atty. for:

D

Address:

2630 S. California

City/State/Zip:

Chicago IL

Telephone:

773-889-6305

ENTERED:

Dated:

Judge

Judge's No.

Part-1 / Control #: 2003 X 1082Referred To: CERMAK

COOK COUNTY DEPARTMENT OF CORRECTIONS

DETAINEE GRIEVANCE

Detainee Last Name: Taylor First Name: John
 ID # 2003-0082505 Div.: 10 Living Unit: 2B Date: 05/28/07

BRIEF SUMMARY OF THE COMPLAINT: Since there isn't a Nurse
available to give medication when I go
to court or Stroger's Hospital Clinics, how
can I get my medications Or what do
I need to do in order to receive my
medication.

NAME OF STAFF OR DETAINEE(S) HAVING INFORMATION REGARDING THIS COMPLAINT:

My medication given to me either before
 ACTION THAT YOU ARE REQUESTING: the day of court, or before a hospital appt

DETAINEE SIGNATURE: John E Taylor

C.R.W.'S SIGNATURE: J. A. Martinez

DATE C.R.W. RECEIVED: 5/30/07

Please note: Decisions of the "Detainee Disciplinary Hearing Board" cannot be grieved or appealed through the use of a grievance form.
 All appeals must be made in writing and directly submitted to the Superintendent.

C.C.D.O.C. DETAINEE GRIEVANCE RECORD & RESPONSE

EMERGENCY GRIEVANCES ARE THOSE INVOLVING AN IMMEDIATE THREAT TO THE WELFARE OR SAFETY OF A DETAINEE

Detainee's Last Name: Taylor First Name: John ID#: 2003-0082505Is This Grievance An Emergency? YES ☐ NO ☒C.R.W.'S Summary Of The Complaint: Detainee alleges he is not receiving his medication as prescribed.C.R.W. Referred Griev. To: CERMAK Date Referred: 5/30/07

Response Statement:

Referred to Patient Care ServicesC. Smith (print - name of individual responding to this griev.) C. Smith (signature of individual responding to this griev.) Date: 5/31/07 Div./Dept. CHSCHIEF D. MORECI (print - name of Supt./Designee/Dept. Admin.) [Signature] (signature of Supt./Designee/Dept. Admin.) Date: 06/03/07 Div./Dept. 10[Signature] (print - name of Prog. Serv. Admin./Asst. Admin.) [Signature] (signature of Prog. Serv. Admin./Asst. Admin.) Date: 6/1/07Date Detainee Received Response: 06/05/07 Detainee Signature: [Signature]

REQUEST FOR AN APPEAL

APPEALS MUST BE MADE WITHIN 14 DAYS OF THE DATE THE DETAINEE RECEIVED THE RESPONSE

Date Detainee Request For An Appeal: 06/05/07Detainee's Basis For An Appeal: The matter of receiving my medication when I go to court, or to Stager's Clinic in the morning is not resolved in my initial step of the grievance.Appeal Board's Acceptance Of Detainee's Request: YES ☐ NO ☒

Appeal Board's Reasoning / Decision / Recommendation To The Superintendent Or Administrator:

CHS states patient receiving medication as prescribed.

Appeal Board's Signatures / Dates:

[Signature] 7-10-7 [Signature] 7/10/07Date Detainee Rec.'d the Appl. Bd.'s Response: 07/11/07 Detainee Signature: [Signature]

GRIEVANCE CODE(S): () () () ()

To: Director of
Cermak Health
S...

Part A / Control # 2007 X 15 00

Submitted To CERMIAK

COOK COUNTY DEPARTMENT OF HEALTH
LABORATORY DIVISION

Specimen Name: Taglia In: USA
Reference: 10/15/07 Date: 10/15/07

[The following section contains multiple lines of text that are heavily obscured by noise and artifacts, making the content illegible. It appears to be a list of test results or a detailed report.]

[The bottom section of the page contains additional text, including what appears to be a signature and date, which is also obscured by noise and artifacts.]

Director of Cermak
Health Services

Part-A / Control # 2007X 1570

Returned To: CERMAK

COOK COUNTY DEPARTMENT OF HEALTH SERVICES

LABORATORY DIVISION

CLINICAL LABORATORY

1001 W. JACKSON ST. CHICAGO, IL 60606

TEL: (773) 390-3000 FAX: (773) 390-3001

WWW.COOKCOUNTYIL.GOV

COOK COUNTY DEPARTMENT OF HEALTH SERVICES

LABORATORY DIVISION

CLINICAL LABORATORY

1001 W. JACKSON ST. CHICAGO, IL 60606

TEL: (773) 390-3000 FAX: (773) 390-3001

WWW.COOKCOUNTYIL.GOV

COOK COUNTY DEPARTMENT OF HEALTH SERVICES

LABORATORY DIVISION

CLINICAL LABORATORY

1001 W. JACKSON ST. CHICAGO, IL 60606

TEL: (773) 390-3000 FAX: (773) 390-3001

WWW.COOKCOUNTYIL.GOV

COOK COUNTY DEPARTMENT OF HEALTH SERVICES

LABORATORY DIVISION

CLINICAL LABORATORY

1001 W. JACKSON ST. CHICAGO, IL 60606

TEL: (773) 390-3000 FAX: (773) 390-3001

WWW.COOKCOUNTYIL.GOV

COOK COUNTY DEPARTMENT OF HEALTH SERVICES

LABORATORY DIVISION

CLINICAL LABORATORY

1001 W. JACKSON ST. CHICAGO, IL 60606

TEL: (773) 390-3000 FAX: (773) 390-3001

Referred To:

CERMAK

COOK COUNTY DEPARTMENT OF CORRECTIONS DETAINEE GRIEVANCE

Detainee Last Name: Taylor First Name: JohnID # 2003-0082505 Div.: 10 Living Unit: 2B Date: 07/26/07

BRIEF SUMMARY OF THE COMPLAINT:

I Am scheduled to start a
Jury Trial on July 31st but will not be able
to receive my pain medication for the morning
and afternoon dosage, because there is no
Nurse in Division to give medicine to those
of us that goes to Court.

NAME OF STAFF OR DETAINEE(S) HAVING INFORMATION REGARDING THIS COMPLAINT: Nurse Maxie, along with other Nurses in Div. 10, and theACTION THAT YOU ARE REQUESTING: Medical Director.

I am asking that provisions be made to receive
my medication when I go to court.

DETAINEE SIGNATURE: John E TaylorC.R.W.'S SIGNATURE: J. A. Mc...DATE C.R.W. RECEIVED: 7, 30, 07

Please note: Decisions of the "Detainee Disciplinary Hearing Board" cannot be grieved or appealed through the use of a grievance form.
All appeals must be made in writing and directly submitted to the Superintendent.

2007 11/24/07

Part A / Control # 2007X 15 25

Security 02/11/08

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Part - B / Continued

Part-A / Control #: 2001X 2018Referred To: CERMAK ✓☐ Processed as a request.

COOK COUNTY DEPARTMENT OF CORRECTIONS DETAINEE GRIEVANCE

Detainee Last Name: Taylor First Name: John

ID #: 2003 - 8082505 Div.: 10 Living Unit: 2B Date: 09/21/07

BRIEF SUMMARY OF THE COMPLAINT: On Sept 15th I did not receive my medication, even though Nurse Maxie came to the Deck to distribute medication. I am housed on the high side, and the low side was out. It's been the practice of some nurses to bring the detainee's medicine to the cell when his side is locked in, or leave it with the officer to distribute it to the detainee. On Sunday I ask Nurse Maxie, why didn't I get my medication, her response was "The Officer would allow me to leave it with him." I asked Officer Galvez, what was the problem, because ~~with~~ ^{Nurses} ~~the~~ has left my medication with you. His response "negative, she didn't ask me could she leave your medicine with me." I asked Nurse Maxie can my medicine be given to me by blister pack? She said "no." She could not give me any solution how to avoid me not

getting my medication when I am locked in.

NAME OF STAFF OR DETAINEE(S) HAVING INFORMATION REGARDING THIS COMPLAINT:

Officer Galvez: I am requesting that my medication be given by

ACTION THAT YOU ARE REQUESTING:

blister pack to avoid me missing my medicine when I am locked in, or at court, or at CermaK.

DETAINEE SIGNATURE: John E. Taylor

C.R.W.'S SIGNATURE: J. A. Myers

DATE C.R.W. RECEIVED: 9/28/07

Please note: Decisions of the "Detainee Disciplinary Hearing Board" cannot be grieved or appealed through the use of a grievance form. All appeals must be made in writing and directly submitted to the Superintendent.